

Remarks

Claims 1-4, 23-38 and 42-46 are pending upon entry of the present amendments. Applicant gratefully acknowledges the withdrawal of the previous restriction requirement between Groups I, VI and VII. Claims 1-4 and 23-38 have been grouped together in new Group I, and new claims 42-46 have been added. Withdrawn claims 5-22 have been canceled without prejudice. Claims 39-41 have been withdrawn as being non-elected subject matter, but may be rejoined under MPEP § 821.04 once the product claims are found allowable.

Claim Rejections under 35 U.S.C. § 102

Claims 1-4, 23-27 and 38 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by: a) WO 93/07141 to Bender *et al.*; b) Bacher *et al.*, Bioorg. Med. Chem. Lett. 8:3229-3234 (1998); and c) Keller *et al.*, Chem. Pharm. Bull. 49: 1009-1017 (2001). Applicant addresses these rejections collectively in view of the amended claims.

To expedite prosecution, claim 23 has been amended to specify the substituents when R¹² is a substituted aryl. The amendments are supported in the claims as originally filed (e.g., claims 1 and 27), and in the Figures (see e.g., compound 18, 69-76, 95, 251 and 418). No new matter has been added.

None of the cited art teaches the claimed compounds in amended claims 1-4, 23-27 and 38. Thus, Applicant respectfully requests that these rejections be withdrawn.

Claim Objections

Claims 28-37 are objected to as being dependent on a rejected base claim. Applicant submits that amended claim 23 is allowable. Accordingly, claims 28 and 29 now depend on an allowable claim, and Applicant respectfully requests that this objection be withdrawn.

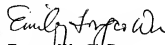
Furthermore, claims 30-37 now depend on new claim 42, which is novel in view of the cited art. Accordingly, claims 30-37 now depend on an allowable claim, and Applicant respectfully requests that this objection be withdrawn.

Conclusion

In summary, the claims have been amended to obviate the rejections and objections. Thus, Applicant respectfully requests that claims 1-4, 23-38 and 42-43 be passed to issue. Furthermore, Applicant requests the rejoinder of withdrawn claims 39-41 and new claims 44-46, which are method claims that are commensurate in scope with the allowed product claims.

In the event that the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 50-1885 referencing docket No. P1080US20.

Respectfully submitted,


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